

REMARKS

Claims 1-31 are pending in the case.

It is the belief of the Applicants that the claims of the present invention are directed to a common subject matter and the search and examination of the entire application can be made by the Examiner without serious burden.

Claims 1-16 (Group I) and claims 17-31 (Group II) relate to a method for building and evaluating a test structure and the test structure made by the method. The features and aspects of the claims are such that serious burden would not be placed on the Examiner to search the common subject and examine both Group I and Group II claims together, obviating the need for restriction.

It is recognized that in order for this paper to be responsive to the Office Action, an election must be made. In the Office Action of September 15, 2005, restriction has been required to one of the following two groups of claims:

(I) Claims 1-16; and

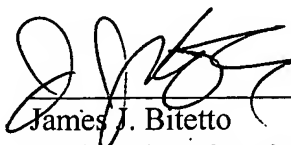
(II) Claims 17-31.

Accordingly, claims of Group (I) are elected for examination at this time with traverse. Applicant reserves the right to pursue Group (II) claims (17-31) by way of a separate divisional application.

In view of the foregoing remarks, Applicants respectfully request reconsideration of the restriction requirement. Early and favorable action of the case is respectfully requested.

Respectfully submitted,

Date: 10/11/05

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